

LEGISLATURE OF NEBRASKA
NINETY-SEVENTH LEGISLATURE
SECOND SESSION

LEGISLATIVE BILL 1162

Introduced by Brown, 6; Coordsen, 32; Jensen, 20; Maxwell, 9;
Price, 26

Read first time January 17, 2002

Committee: Education

A BILL

- 1 FOR AN ACT relating to the Tax Equity and Educational Opportunities
- 2 Support Act; to amend section 79-1007.01, Revised
- 3 Statutes Supplement, 2001; to provide for a quality
- 4 education incentive factor; and to repeal the original
- 5 section.
- 6 Be it enacted by the people of the State of Nebraska,

1 Section 1. Section 79-1007.01, Revised Statutes
2 Supplement, 2001, is amended to read:

3 79-1007.01. (1) The adjusted formula students for each
4 local system shall be calculated by:

5 (a) Multiplying the formula students in each grade range
6 by the corresponding weighting factors to calculate the weighted
7 formula students for each grade range as follows:

8 (i) The weighting factor for kindergarten is five-tenths;

9 (ii) The weighting factor for grades one through six,
10 including full-day kindergarten, is one;

11 (iii) The weighting factor for grades seven and eight is
12 one and two-tenths; and

13 (iv) The weighting factor for grades nine through twelve
14 is one and four-tenths;

15 (b) Adding the weighted formula students for each grade
16 range to calculate the weighted formula students for the local
17 system; and

18 (c) Adjusting the weighted formula students by adding the
19 following demographic factors:

20 (i) The Indian-land factor shall equal 0.25 times the
21 average daily attendance of students who reside on Indian land as
22 reported by the United States Department of Education in
23 calculating the local system's payment pursuant to 20 U.S.C. 7701
24 et seq., as such sections existed on ~~May 8, 2001~~ the effective date
25 of this act;

26 (ii) The limited English proficiency factor shall equal
27 0.25 times the students in the local system with limited English
28 proficiency as defined under 20 U.S.C. 7601, as such section

1 existed on ~~May 8, 2001~~ the effective date of this act;

2 (iii) The department shall calculate the number of
3 formula students to whom the poverty factor shall apply. The
4 department shall calculate a ratio of the formula students to the
5 total children under nineteen years of age residing in the local
6 system and shall apply the ratio to the low-income children within
7 the local system, in order to determine the number of low-income
8 students within such local system. The number of children under
9 nineteen years of age used in this calculation shall be derived
10 from income tax information. The poverty factor shall equal the
11 number of low-income students or the formula students qualified for
12 free lunches or free milk under United States Department of
13 Agriculture child nutrition programs, whichever is greater,
14 multiplied by the following factors:

15 (A) 0 for the qualified formula students comprising the
16 first five percent of the formula students in the local system;

17 (B) 0.05 for the qualified formula students comprising
18 more than five percent and not more than ten percent of the formula
19 students in the local system;

20 (C) 0.10 for the qualified formula students comprising
21 more than ten percent and not more than fifteen percent of the
22 formula students in the local system;

23 (D) 0.15 for the qualified formula students comprising
24 more than fifteen percent and not more than twenty percent of the
25 formula students in the local system;

26 (E) 0.20 for the qualified formula students comprising
27 more than twenty percent and not more than twenty-five percent of
28 the formula students in the local system;

1 (F) 0.25 for the qualified formula students comprising
2 more than twenty-five percent and not more than thirty percent of
3 the formula students in the local system; and

4 (G) 0.30 for the qualified formula students comprising
5 more than thirty percent of the formula students in the local
6 system; ~~and~~

7 (iv) The extreme remoteness factor shall equal 0.125
8 times the formula students in the local system for each local
9 system that has fewer than two hundred formula students, more than
10 six hundred square miles in the local system, less than
11 three-tenths formula student per square mile in the local system,
12 and more than twenty-five miles between the high school attendance
13 center and the next closest high school attendance center on paved
14 roads; and

15 (v) The quality education incentive factor shall equal
16 the number of formula students in the local system for each local
17 system that has met the qualifications established in the Quality
18 Education Accountability Act multiplied by (A) thirty-seven dollars
19 and ninety-two cents for school fiscal year 2003-04 and (B)
20 thirty-nine dollars and eighty-two cents for school fiscal year
21 2004-05.

22 (2) The total adjusted formula students for each local
23 system shall equal the weighted formula students plus the
24 demographic factors, except that (a) for local systems qualifying
25 for the extreme remoteness factor, the total adjusted formula
26 students shall be greater than or equal to one hundred fifty
27 adjusted formula students, (b) the total adjusted formula students
28 for a local system shall not include the extreme remoteness factor

1 or any adjustment to the adjusted formula students resulting from
2 qualification for the extreme remoteness factor for the calculation
3 of the average formula cost per student in each cost grouping
4 pursuant to subdivision (2) of section 79-1007.02, and (c) the
5 total adjusted formula students for a local system shall include
6 the extreme remoteness factor and any adjustment to the adjusted
7 formula students resulting from qualification for the extreme
8 remoteness factor for the calculation of the local system's formula
9 need pursuant to subdivision (3) of section 79-1007.02.

10 Sec. 2. Original section 79-1007.01, Revised Statutes
11 Supplement, 2001, is repealed.